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## Guatemala

November 8, 2016

### Notice: Update on Status of Intercountry Adoptions from Guatemala

The Government of Guatemala is not processing intercountry adoptions with any country at this time; however, the U.S. Department of State continues to engage the Government of Guatemala with the goal of establishing procedures to resume intercountry adoptions for children who cannot find permanent homes in Guatemala.

In 2007, Guatemala passed new adoption legislation to regulate intercountry adoption and implement the safeguards of the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption. The law created the Guatemalan National Adoption Council (CNA) and allowed for approximately 3,000 adoptions initiated prior to December 31, 2007, to proceed as "transition" cases. The Guatemalan government subsequently suspended new adoption applications until they could create a new adoption process.

The United States joined the Convention on April 1, 2008. At that time, Guatemala did not and still today does not have an intercountry adoption process in place.

From 2008 until today, resolution of the transition adoption cases has been a key bilateral objective of the U.S. Embassy in Guatemala, the U.S. Department of State, and U.S. Citizen and Immigration Services (USCIS). High-level U.S. officials regularly visited Guatemala and raised the issue of resolving the pending cases with the highest levels of the Guatemalan government, including eight visits by the Special Advisor for Children's Issues, Ambassador Susan Jacobs. As a result of exhaustive efforts on all sides, as of 2016, the CNA has completed its processing of the transition cases that were pending when the new law went into effect. The four remaining transition cases are all pending in various judicial processes. U.S. Embassy and USCIS representatives continue to support and encourage the Guatemalan government to advance the remaining cases and carefully monitor progress.

In May 2016, representatives of the Office of Children's Issues traveled to Guatemala to assess the progress made on creating a new intercountry adoption process and Guatemala's readiness to begin discussions on re-commencing intercountry adoptions. Representatives of Guatemalan institutions stated their priority is to continue to strengthen their processes and institutions in support of domestic alternatives for children. They indicated this needs to occur before they will consider reopening intercountry adoptions. The Office of Children's Issues is committed to supporting the Government of Guatemala in these efforts, and to continue to advocate for developing intercountry adoption procedures as an option for those children who cannot find permanent homes in Guatemala.

The Department of State will continue to publish updates related to intercountry adoptions from Guatemala on [adoption.state.gov](http://adoption.state.gov). Please direct any questions related to this Notice or Guatemalan adoptions to [adoption@state.gov](mailto:adoption@state.gov)